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or reject as frankly plans for solving large world problems that now center around production, distribution, and consumption of wealth, it will have justified its birth. Co-operation or matching of minds cannot but lead to something like consent on principles of conduct. Nominally gathered to discuss technical problems, ethical issues will arise, debates will follow, and commercialism, pure and simple, will have to be reckoned with idealism. For instance, at this session "unfair competition" was discussed. Delegates who came expecting to grind their own or their nation's axes were at once told that the chamber hoped to move on a higher plane than that. When the topic of divulging commercial secrets was open for debate, a raw and sore nerve that much needs attention got it. So also when protection of trade-marks was considered. For it is these differing codes of business morality held by individuals and by nations that cause much friction. The disputes that arise because of them have a cumulative effect. In due time they share in bringing on war.

### IS THERE LIGHT IN RUSSIA?

THE darkness that has been Russia's has been a great darkness. But now at a time when the Bolshevik troops are undoubtedly warring successfully along the Polish front; when George Krasin, ablest man of business in the Bolshevik government, is functioning with marked success as de facto Soviet ambassador to the Court of St. James, having brought Great Britain, indeed, to his terms, President Wilson, upon his own initiative, it is said, has decided to open trade relations between the United States and Soviet Russia. Is this the beginning of the dawn in Russia?

In some respects Mr. Wilson's action is quite remarkable. We understand that one of his motives is to "give rope" to the Bolshevik, that they may hang themselves. Another reason is that it may be a means of overthrowing Lenin, because it will deprive him of the excuse that the outside world is preventing him from building up Russia. Whether or not these were real reasons in the mind of Mr. Wilson we cannot say. If they were, they constitute a part of the strangeness of the proceeding. It is a fact that Ludwig C. A. K. Martens, head of the Russian Soviet Bureau in the United States, is skeptical of the effectiveness of Mr. Wilson's declaration, for the reason that no provision has been made for the establishment of credits by which the American business man may be paid for his goods; furthermore, it does not provide for the necessary commercial communications by mail or cable. It is certainly no illustration of an open diplomacy openly arrived at. The procedure was even announced during the absence of our Secretary of

State, and, indeed, it is quite at variance with every utterance relative to Russia which Mr. Colby has made since he accepted his portfolio. It would seem that the action may prove embarrassing to large numbers of influential persons in the Democratic party, including, perhaps, Mr. Cox, for the opposition in America to the Bolshevik is quite general. Mr. Wilson's action is peculiar, we may also say, to take such a step, announcing at the same time the impotence of the Bolshevik, the paucity of raw materials in Russia, and the absence of credit. It is especially interesting to note Mr. Wilson's announcement to the American business men that if they do business with Red Russia they will do so at their own risk.

Of course, the extreme opponents of the Bolshevik are quick to point out that if the United States succeeds in getting supplies to Russia, the shippers may comfort themselves with the realization that they are doing their best to destroy all civilized governments, including the Government of the United States, for it is against such governments that the Bolshevik are set. It would be interesting to hear the remarks of the peoples with whom we have been associated in the war, particularly in enlightened and property owning France.

Undoubtedly this is the darkest period of Russia's history. Undoubtedly this Russia of a thousand years is the most serious single problem facing the world today. Colossal, feared, and envied, the world feels as never before the importance of Russia. As is frequently said, "Russia's tragedy is a world tragedy." If as at the dawn of her history, she is to create a great State out of her present despair; if she is to demonstrate that her powers of production are unimpaired; if she is to take up again her unexcelled spiritual achievements in literature, in the arts, and in the sciences, and to carry these to still greater heights, Russia must overcome her diseased body and travailing soul. Other nations can help in this undertaking, but the one nation upon whom the job most depends is of course Russia.

There is no doubt of Russia's disease. The campaign of Lenin and Trotsky has been one of the most amply financed and widely extended of any ever thrust upon the ordered governments. The funds have come from the loot of banks and churches, from the private fortunes of captured and even murdered individuals. Agents empowered by these funds have found their way to all continents, and to the peoples of all stages of civilization, especially to those with agrarian discontent on the one hand and the latent germs of urban industrial revolt on the other. Their manifesto, distributed widely in north and south China, whence the Soviet military forces have obtained some of their fiercest and most cruel hired mercenaries, shows clearly their one desire,

namely, to subdue Russia. China, ribboned by civil war, has been found to be good soil for this inflammatory revolutionary literature. It has been made perfectly clear to the world from time to time that Lloyd-George was quite correct when he referred to the Soviet as a "people whose chariot is drawn by plunder and terror."

But these facts do not prove the hopelessness of Russia. Republicanism in Russia, for example, still lives. Dissolution of the empire and the overthrowing of the constituent assembly did not convert all the "peoples" to the Soviet system; neither did it extinguish nationalistic aspirations. The Supreme Council of the Associated and Allied Powers, sitting in Paris, had placed before it in June a statement signed by delegates of States formed within the limits of the former Russian empire, the Republics of Azerbaidjan, of Esthonia, of Georgia, of Letvia, of North Caucasus, of White Russia, and of the Ukraine—a statement declaring that these republics have been formed "by the free will of the peoples of these States."

The policy of the world of nations toward Russia, especially since the revolution, has been one of ineptitude, vacillation, and indecency. It was back in January that the Supreme Council in Paris, upon the recommendation of a committee, "decided that it would permit the exchange of goods upon a basis of reciprocity between the Russian people and the allied and neutral countries." To accomplish this it decided to operate through the Russian Co-operative organizations for the import into Russia of clothing, medicines, agricultural machinery, and other necessities in exchange for grain, flax, etc. The Supreme Council added, "This arrangement implies no change in the policy of the allied governments toward the Soviet government." The Supreme Council went further, and sent a note to the representatives of the Russian Central Co-operative Union notifying them of this action. Concerning this performance, the committee for the regeneration of Russia issued a statement declaring the plans of the Supreme Council "to be impossible of realization." It went further and expressed the view that even the lifting of the blockade could not solve the Russian problem, but that, on the contrary, it would complicate that problem by prolonging the period of Bolshevik domination in Russia with all that meant in the disorganization of Russia's productive forces. As a matter of fact, nothing came of that gesture. At that time Mr. Hoover said of the removal of the blockade against Red Russia that it had "knocked one of their greatest props from under the Bolsheviks." It seems reasonable to expect that Mr. Wilson will be seen to be as mistaken with reference to his present course toward Russia as was Mr. Hoover in January last.

**A**N EXCEEDINGLY interesting new angle in the "war against war" is a recent movement within the Amalgamated Metal Workers of America "union." Fearing from recent indications that the United States may be maneuvered into war with Mexico by designing interests and wishing to give a practical turn to the decision of the American Federation of Labor at its recent meeting in Montreal adverse to any such war, these makers of guns and ammunition voted against production of arms for the government or for private employers. They also are trying to induce transportation workers to refuse to run the railways to carry out a military policy. British and Irish wage earners some time since discovered that in this way of being "practical pacifists" they had a method of sabotaging the schemes of governments and of industry. Our own view is that this particular group of metal workers is in the wrong. That method, to avoid the serious charge of disloyalty in case of war, should cease. Such a policy on the part of labor to be of any value should be proposed and carried out by a united effort of united labor in a united world, and not until then. Any other course in our present order is simply the way of national suicide.

**V**ERNON LEE, the clever English woman, whose mind is prone to dwell on æsthetics as well as ethics, and whose essays are among the best written for the select few during this generation, has brought forth a satire called "Satan the Waster," which is a drama directed against war of all kinds at all times. Prof. Gilbert Murray, in the current *Century*, has an article on "Satanism," and an anonymous writer in the *Atlantic Monthly* has some old-fashioned ideas about the Devil. They all indicate that the older conception of Personified Evil, warring with Personified Good, and getting the homage of an evil humanity, makes its appeal again to him or to her, as the case may be. In a time of reaction like the present it is not surprising that such a trend as this should reappear. The late war has made many persons restore the word "hell" to their vocabulary. If the place, why then omit the active master who directs us thither?

**F**ORMER Ambassador to Germany, Mr. Gerard, is mystified by the fact that neither General Pershing nor Mr. Hoover "got anywhere" in politics this year after their military, diplomatic, and humanitarian service abroad. He really seems peeved because the people who vote do not turn to persons with distinctions gained during war time as their leaders in normal days of peace. Possibly if Mr. Gerard will keep on thinking he will discover why it is.

**D**R. CHARLES H. MAYO, than whom there is no higher American authority in medicine and surgery, speaking recently at a dinner in London, with eminent statesmen and scientists present, told them that the coming war will see aëroplanes used to drop—what? Immense capsules filled with bacteria of plagues, that when released will infect the inhabitants of villages, towns, and cities. When his lay auditors had recovered sufficiently from the chill of horror which this prophecy caused, he then proceeded to show that it was the duty of the profession, “in the line of humanity,” to prepare to undo with its left hand what it had done with its right hand. The “High Cost of Living” circle is no more inexplicable than this one of militarism wedded to science. Genius devises ways to kill; then it turns to and devises ways to alleviate its own victims’ woes, provided there are any survivors. Some day Science, collectively, the world around, may strike against War by refusing to be enlisted. In any event, science, to be consistent, must apply itself with all its power to end the self-neutralizing situation in which men have always found it necessary to end its disputes by the wholly wolf-like and unscientific method of simply blowing out each other’s brains.

**B**ETTER understanding between college men of this country and those of other nations might be said to be the theme to which Prof. J. W. Cunliffe addresses himself in the leading article of the *American Oxonian* for July, 1920. According to Professor Cunliffe, there are three American educational organizations which are at this time, if from somewhat different angles, seeking to foster such a better acquaintance. These three American organizations concerning themselves with international education, to which Professor Cunliffe particularly refers, are the American University Union in Europe, founded in the summer of 1917, primarily in the interest of American university and college men in Europe for military service, with headquarters in Paris; the Institute of International Education, under the direction of Prof. Stephen P. Duggan, of New York; and the American Council of Education.

Professor Cunliffe is undoubtedly warranted in his statement that the war has given a spur to American interest in international education, and that that interest is being carried over to the more permanent relations of peace. Dr. MacLean is the present director of the British Division of the American University Union, with headquarters at 50 Russell square, W. C. 1, London, where he is willing to answer inquiries from American students wishing to go to Great Britain or Ireland. Because of the crowded state of most of the British universities it is urged that American students

wishing to secure admission to them this year should communicate at once with Dr. MacLean. The main business of the Union is now centered in the office of the Secretary of the Trustees, Journalism Building, Columbia University, New York City. The director of the Continental Division of the Union is Prof. C. B. Vibert, 1 Rue de Fleurus, Paris, France, but in September Prof. Earl B. Babcock, New York University, will probably take over the work of the Paris office.

There is the Institute of International Education, which has published a handbook of all educational opportunities in the various schools of France. A similar handbook has just appeared, a monograph by Dr. G. E. MacLean, entitled “Opportunity for Graduate Study in the British Isles.” Both of these handbooks can be obtained from the Institute of International Education, 419 West 117th street, New York City. This Institute of International Education is especially interested in the interchange of professors.

The American Council of Education, working in harmony with the other two organizations, is concerned primarily with the interrelation of American institutions and organizations and with their relations to governmental agencies. It is also trying to adjust the equivalents between the degrees of American and European universities and to administer the scholarships for French students in this country and American students in France, organized by the Association of American Colleges in co-operation with the French Government. The director of the council is Dr. S. P. Capen, 818 Connecticut avenue, Washington, D. C.

It will be interesting to watch these three organizations as they work out together their differing but similar problems relating to that most important matter, a better understanding between college men of this country and those of other nations.

**T**HE FELLOWSHIP OF RECONCILIATION, because of its name, because of its speakers and leaders, because of its purposes, should have a noteworthy meeting at its General Conference to be held at the Inn-in-the-Hills, Ulster County, opposite Poughkeepsie, N. Y., from Thursday, September 9, to Sunday, September 12. This group of spiritually minded persons has felt the impact of the war upon Christian principles. They feel that they have tried to work out the relation of those Christian principles to the social problems and the industrial society in the period of reconstruction. Since, as they feel, the world seems to have learned very little from the war, these persons are asking themselves what they ought to do about it. They have set, therefore, as the keynote of the Conference two sentences: The keynote of the Conference shall be “to gather up and apply the

spiritual force and vision that has been developed in the facing of profound social realities is the dominant purpose in the arrangement of the program. We have begun to see the outlines of the goal we are striving for; the time has now come to find ways to make our energy count in the attainment of that goal."

They hope to evoke a creative self-expression of the Conference upon such matters as industrial problems, war, militarism, international relations, spiritual realities. Surely there ought to be a place in a Christian civilization for many meetings with similar hopes and plans.

## BUREAUCRACY AND DISRESPECT FOR LAW

By HON. CHARLES E. HUGHES  
Former Justice of the United States Supreme Court

From Address at Harvard Law School Centennial, June 21,  
Which was Entitled "Some Observations on Legal  
Education and Democratic Progress"

A PASSION for legislation is not a sign of democratic progress, and in the mass of measures introduced in the legislatures of our free Commonwealths, there is too little evidence of perspective, and an abundance of elaborate and dreary futilities. Occasionally, a constructive measure of great benefit is skilfully planned, but we are constantly impressed with the lost motion and the vast waste in the endeavor of democracy to function wisely.

### Statutes Too Uncertain

We should naturally expect that experience as a free people would have had fruition in a demand for certainty in laws, as it is vital to liberty that the scope of inhibition should be understood in advance through the promulgation of laws, which, whether or not well conceived, are at least well understood. But in this matter of first importance, we look in vain for progress. It would undoubtedly surprise a visitor from Mars to be told that in this enlightened nation, after more than a hundred years of the best institutions of free government ever devised, the industrial and commercial activities of the people have been governed by statutory provisions under which, except in the simplest cases, no one, however expert, could make a safe prediction. Controversies as to legislative policies are apt to issue not in any victory of defined import but in a compromise of vagueness, where all may claim success and no one may know what the rule of action is. The regrettable thing is not that this sometimes happened but that the tendency to enact uncertain laws seems to be increasing, and, what is still worse, that the people tolerate it and that there are but faint demands for improvement. Our material progress seems to have created complexities beyond our political competency, and disregarding the lessons of history there has been a disposition to revert to the methods of tyranny in order to meet the problems

of democracy. Intent on some immediate exigency, and with slight consideration of larger issues, we create autocratic power by giving administrative officials who can threaten indictment the opportunities of criminal statutes without any appropriate definition of crime. When King John in the Great Charter said, "And we will not set forth against him nor send against him, unless by the lawful judgment of his peers and by the law of the land," the assurance was of protection against arbitrary power, and we should know by this time that arbitrariness is quite as likely to proceed from an unrestrained administrative officer of the republic reigning by the grace of an indefinite statute as by the personal government of a despotic king. Finding the intricacies of our modern life too much for clearly expressed law, we have formed the habit of turning the whole business over to bureau chiefs, who, with the opportunity to create manifold restrictions and annoyances hold the power of life and death over enterprise and reputation. This has seemed to be a comfortable way of dealing with evils, and the mischief it has been breeding has received scant attention.

### War Fed Autocratic Appetite

We went to war for liberty and democracy, with the result that we fed the autocratic appetite. And, through a fiction, permissible only because the courts cannot know what everyone else knows, we have seen the war powers, which are essential to the preservation of the nation in time of war, exercised broadly after the military exigency had passed and in conditions for which they were never intended, and we may well wonder, in view of the precedents now established, whether constitutional government as heretofore maintained in this republic could survive another great war even victoriously waged.

Apart from these conditions, we cannot afford to ignore the indications that, perhaps to an extent unparalleled in our history, the essentials of liberty are being disregarded. Very recently information has been laid by responsible citizens at the bar of public opinion of violations of personal rights which savor of the worst practices of tyranny. And in the conduct of trials before the courts we find a growing tendency on the part of prosecutors to resort to grossly unfair practices. Even as I speak, there appears in the *Harvard Law Review* a striking summary of this sort of lawlessness:

During the past year no less than forty-four convictions were reversed by appellate tribunals in the United States for flagrant misconduct of the public prosecutor or of the trial judge whereby the accused was deprived of a fair trial. In thirty-three of these cases the district attorney made inflammatory appeals to prejudice upon matters not properly before the jury. In three of them the district attorney extorted confessions or coerced witnesses by palpably unlawful methods. In four, witnesses were so browbeaten during the trial as to prevent the accused from fairly making his case. In two, the trial judge interposed with a high hand to extort testimony unfavorable to the accused or to intimidate witnesses for the accused. It is significant that these cases come from every part of the country and from every sort of court.